

Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLANDO HERNANDEZ,

Defendant.

CASE NO. CR06-106RSM

ORDER OF CONTINUANCE

The Court having reviewed the motion by the defendant ROLANDO HERNANDEZ to continue the trial date, and having reviewed the government's response and the records and files herein, makes the following findings and enters the following order:

The Court finds that pursuant to 18 U.S.C. §3161(h)(8)(A) and §3161(h)(8)(B)(I), (ii) and (iv), the ends of justice served by continuing the trial date from July 10, 2006 to August 28, 2006, outweigh the best interests of the public and the defendant in a speedy trial. This matter is complex due to the number of defendants involved, the number of alleged bank fraud transactions involved, and the amount of discovery involved. It is therefore unreasonable to expect the defendant to adequately prepare for trial before August 28, 2006. Additionally, failure to grant a continuance to August 28, 2006 would deny the defendant the time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice.

1 Continuing the trial to August 28, 2006 also serves the interests of judicial
2 economy. Currently, co-defendant Felipe Maramba is scheduled for trial on August 28,
3 2006. Continuing HERNANDEZ's trial to the same date would allow for a single trial
4 against both defendants, rather than two separate trials in which much of the testimony
5 presented would be the same.

6 IT IS HEREBY ORDERED that trial in this matter is continued from
7 July 10, 2006 to August 28, 2006 at 9:00 a.m.

8 IT IS FURTHER ORDERED that, for purposes of computing the time limitations
9 imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161-3164, the period of delay from
10 July 10, 2006, up to and including August 28, 2006, is excludable time pursuant to
11 18 U.S.C. § 3161(h)(7) and (h)(8)(B)(iv).

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13 DATED this 5th day of July, 2006.

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16 RICARDO S. MARTINEZ
17 UNITED STATES DISTRICT JUDGE

18 Presented by:

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20
21 /s Jill Otake

22 JILL OTAKE

23 Assistant United States Attorney

24 WA Bar # 28298
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